

THURSDAY, MAY 7, 1981
FORTY-SIXTH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Herman Wolfe of Hardin County.

Representative Wolfe led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

The Speaker announced that Representative Stafford was excused because of illness.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.

122—Relative to study, merger, Southern College of Optometry; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.

382—To enact Tennessee Commission on Aging Act of 1981; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 1297 with his approval.

JULIA GIBBONS,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution Nos.

194—Relative to memory, Edwin F. Hunt;

198—Relative to recognizing Oak Ridge Rowing Association;

203—Relative to memory, Judge Wilfred Gillenwater; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1011; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bill No. 1011.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

71—To amend Sections 69-101, 69-102 and 69-103, Code; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

558—To regulate proceedings, Alcoholic Beverage Commission.

The Senate concurred in House Amendment No. 2 and nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

477—To regulate condemnation of land, highway purposes; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

355—To amend Title 49, Chapters 8 and 9, Code;

461—To make certain provisions, divorce or annulment;

1280—To name the "Clarence B. Robinson Bridge; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Burnett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 219 out of order, which motion prevailed.

House Joint Resolution No. 219—Relative to recess, House of Representatives—By Burnett.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Burnett, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Frensley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 218 out of order, which motion prevailed.

House Joint Resolution No. 218—Relative to congratulating Franklin High School Marching Band—By Frensley.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Frensley moved that House Joint Resolution No. 218 be adopted, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore,

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.

128—Relative to welcoming Mexico's First Lady Carmen Lopez Partillo; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

377—To amend Title 67, Chapter 6, Code;

609—To amend Title 2, Chapter 13, Code; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CALENDAR

House Bill No. 597—To increase property assessment, certain circumstances.

Mr. Covington moved that House Bill No. 597 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 597 by deleting in its entirety the last sentence of subsection (b) of the amendatory language of Section 1, and substituting instead the following:

Such cost and penalty shall be a lien upon such property in favor of the metropolitan government. The provisions of Tennessee Code Annotated, Title 64, Chapter 11, shall be applicable to such liens.

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 597 by inserting the following language in Section 1, subsection (a), between the words "give notice" and "to such":

by certified mail, return receipt requested

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

AND FURTHER AMEND in subsection (b) of Section 1 by deleting the words and figures "ten (10) days" and substituting instead the words and figures "thirty (30) days".

On motion, the amendment was adopted.

Thereupon, House Bill No. 597, as amended, passed its third and final consideration by the following vote:

Ayes	86
Noes	8
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—86.

Representatives voting no were: Chiles, Ellis, Henry (Roane), King (Washington), McKinney, Robertson, Scruggs and Smith—8.

Representatives present and not voting were: Buck and Robinson (Davidson)—2.

A motion to reconsider was tabled.

Mr. Henry (Roane) moved that House Bill No. 1009 be placed on the Calendar for Tuesday, May 12, 1981, which motion prevailed.

Mr. Ford moved that the rules be suspended for the purpose of considering House Bill No. 1230 out of order, which motion prevailed.

On motion, the rules were suspended for the immediate consideration of the bill.

House Bill No. 1230—To create Board of Highway Commissioners, Cocke County.

Mr. Ford moved that House Bill No. 1230 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

FURTHER CONSIDERATION OF SENATE BILL NO. 191

Senate Bill No. 191—To amend Title 6, Chapter 51, Code.

Mr. Owen moved that Senate Bill No. 191 be passed on third and final consideration.

Mr. Yelton moved that Amendment No. 1 to Amendment No. 1 to withdrawn, which motion prevailed.

Thereupon, on motion, Amendment No. 1 was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 191 by adding the following language at the end of the amendatory language of the new section added by House State and Local Government Committee Amendment No. 1:

and in counties having a population of not less than sixty-five thousand seven hundred (65,700) nor more than sixty-five thousand eight hundred (65,800) according to the 1970 federal census of population or any subsequent federal census.

Amendment No. 2 was adopted by the following vote:

Ayes	44
Noes	36
Present and not voting	13

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bivens, Carter, Cobb, Copeland, Crain, Davis (Gibson), Davis (Hamilton), Dills, Gaia, Gill, Hurley, Jared, Johnson, Kelley, King (Shelby), Lashlee, Lowe, Miller, Murphy (Shelby), Murray, Naifeh, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner, Wallace, Wheeler, Withers, Work and Yelton—44.

Representatives voting no were: Baker, Bewley, Bragg, Brewer, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Covington, Davidson, DeBerry, Disspayne, Duer, Ellis, Ford, Frensley, Henry (Roane), Hillis, Hudson, Huskey, Jones, Kent, Love, McKinney, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Shockley, Spence, Sterling, Ussery, Webb, Whitson and Wix—36.

Representatives present and not voting were: Buck, Byrd, Davis (Pickett), Duncan, Harrill, King (Washington), McAfee, Owen, Percy, Pickering, Small, Wolfe and Wood—13.

Mr. Shockley moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 191 by adding immediately after the words and figures “two hundred seventy-seven thousand (277,000)” in the section added by House State and Local Government Committee Amendment No. 1, the words and figures

“, or not less than thirty eight thousand six hundred (38,600) nor more than thirty eight thousand seven hundred (38,700)”.

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

On motion, the amendment was adopted.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 191 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section—. The provisions of this act shall also apply in any county having a population of not less than 60,250 nor more than 60,350 according to the 1970 federal census of population or any subsequent federal census of population.

Mr. Henry (Roane) moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes	49
Noes	28
Present and not voting	7

Representatives voting aye were: Baker, Bewley, Bragg, Brewer, Chiles, Clark (Davidson), Clark (Sumner), Covington, Davidson, Davis (Hamilton), DeBerry, Duer, Duncan, Ellis, Ford, Gaia, Harrill, Henry (Roane), Hillis, Hudson, Huskey, Kelley, Kent, King (Shelby), King (Washington), Lashlee, McAfee, McKinney, Montgomery, Moore, Murphy (Davidson), Naifeh, Percy, Phillips, Pruitt, Robertson, Robinson (Davidson), Robinson (Washington), Spence, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Wolfe, Wood, Work and Mr. Speaker McWherter—49.

Representatives voting no were: Akard, Bell (Wilson), Bivens, Buck, Burnett, Byrd, Crain, Davis (Pickett), DePriest, Disspayne, Frensley, Gill, Hurley, Jared, Jones, Love, Lowe, McNally, Martin, Miller, Murray, Richardson, Scruggs, Shirley, Stallings, Starnes, Wheeler and Yelton—28.

Representatives present and not voting were: Owen, Pickering, Rhinehart, Robinson (Hamilton), Severence, Shockley and Wix—7.

Mr. Ussery moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 191 by adding a new section immediately preceding the effective date section and renumbering the subsequent section accordingly:

Section—. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Mr. McKinney moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes	60
Noes	18
Present and not voting	5

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Brewer, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson,

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

Davis (Hamilton), DeBerry, Dills, Duer, Duncan, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kent, King (Shelby), Lashlee, Love, Lowe, McKinney, McNally, Martin, Montgomery, Murphy (Davidson), Murphy (Shelby), Naifeh, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Spence, Stallings, Sterling, Tanner, Wallace, Wheeler, Withers, Wix, Wood and Work—60.

Representatives voting no were: Bewley, Buck, Carter, Ford, Huskey, King (Washington), Miller, Murray, Owen, Phillips, Pickering, Scruggs, Smith, Ussery, Webb, Whitson, Yelton and Mr. Speaker McWherter—18.

Representatives present and not voting were: Moore, Shockley, Small, Starnes and Wolfe—5.

Mr. Baker moved to amend as follows:

AMENDMENT NO. 6

Amend Senate Bill No. 191 by adding a new section, as follows, immediately before the last section and renumbering such section accordingly:

SECTION—. Tennessee Code Annotated, Section 6-51-102, in subsection (a) by inserting between the words “affected territory” and “or upon its own initiative”, the words “and upon an affirmative vote of two-thirds (2/3) of the municipal legislative body”.

Mr. Owen moved that the Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes	54
Noes	34
Present and not voting	2

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bivens, Buck, Burnett, Byrd, Carter, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Gill, Henry (Blount), Henry (Roane), Hillis, Jared, Johnson, Jones, King (Shelby), Lashlee, Lowe, Martin, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Smith, Stallings, Starnes, Tanner, Ussery, Wallace, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter—54.

Representatives voting no were: Baker, Bewley, Bragg, Brewer, Clark (Sumner), DeBerry, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Harrill, Hudson, Hurley, Huskey, Kent, Kernell, King (Washington), McKinney, McNally, Montgomery, Moore, Murphy (Shelby), Percy, Phillips, Pruitt, Robinson (Washington), Spence, Sterling, Webb, Whitson, Withers and Wolfe—34.

Representatives present and not voting were: McAfee and Wood—2.

Mr. Rhinehart moved the previous question, which motion failed by the following vote:

Ayes	39
Noes	43
Present and not voting	5

Representatives voting aye were: Bewley, Bivens, Buck, Burnett, Carter, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Duncan, Gaia, Henry (Blount), Hurley, Huskey, Jared, Johnson, King (Shelby), Lashlee, McAfee,

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

McNally, Martin, Montgomery, Naifeh, Percy, Rhinehart, Richardson, Robinson (Davidson), Shirley, Spence, Stallings, Starnes, Tanner, Ussery, Wallace, Wheeler and Withers—39.

Representatives voting no were: Akard, Baker, Bell (Knox), Bell (Wilson), Bragg, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Duer, Ellis, Ford, Frensley, Gill, Harrill, Henry (Roane), Hillis, Hudson, Jones, Kelley, Kent, King (Washington), Lowe, McKinney, Moore, Murphy (Davidson), Murray, Phillips, Pickering, Pruitt, Robertson, Robinson (Hamilton), Scruggs, Severance, Shockley, Sterling, Turner, Webb, Whitson, Wood, Work and Yelton—43.

Representatives present and not voting were: Miller, Owen, Wix, Wolfe and Mr. Speaker McWherter—5.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 7

Amend Senate Bill No. 191 by adding a new Section:

“Provisions of this act shall not apply to counties having a Metropolitan form of government.

On motion, the amendment was adopted.

Mr. Wallace moved to amend as follows:

AMENDMENT NO. 8

Amend Senate Bill No. 191 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section—. The provisions of this act shall apply in any county having a population of not less than 14,400 nor more than 14,500 according to the 1970 federal census of population or any subsequent federal census of population.

On motion, the amendment was adopted.

Mr. Ussery moved to amend as follows:

AMENDMENT NO. 9

Amend Senate Bill No. 191 by adding the following to the amendatory language of the section immediately preceding the last section:

The provisions of this act shall also apply to counties having a population of not less than 62,700 nor more than 62,800 according to the 1970 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Ms. Duer moved to amend as follows:

AMENDMENT NO. 10

Amend Senate Bill No. 191 by deleting the words and figures “not less than 24,200 nor more than 24,300” wherever they appear.

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section—. The provisions of this act shall also apply in any county having a population of not less than 24,250 nor more than 25,300 according to the 1970 federal census of population or any subsequent federal census of population. This section shall not become effective until January 1, 1982.

On motion of Ms. Duer, Amendment No. 10 was withdrawn.

Mr. McKinney moved that Senate Bill No. 191 be re-referred to the Committee on State and Local Government.

Mr. Owen moved that the motion be tabled, which motion failed by the following vote:

Ayes	44
Noes	50
Present and not voting	2

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Burnett, Carter, Clark (Davidson), Covington, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Disspayne, Henry (Blount), Hudson, Hurley, Huskey, Johnson, King (Shelby), Lashlee, Martin, Miller, Murray, Naifeh, Owen, Pickering, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Small, Smith, Stallings, Starnes, Tanner, Ussery, Wallace, Wheeler, Wix, Work, Yelton and Mr. Speaker McWhorter—44.

Representatives voting no were: Baker, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Copeland, Crain, Davidson, DeBerry, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Jared, Jones, Kelley, Kent, Kernell, King (Washington), Love, Lowe, McAfee, McKinney, McNally, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Percy, Phillips, Rhinehart, Robinson (Washington), Spence, Sterling, Turner, Webb, Whitson, Withers, Wolfe and Wood—50.

Representatives present and not voting were: Dills and Shockley—2.

Mr. King (Washington) moved the previous question, which motion failed by the following vote:

Ayes	54
Noes	38
Present and not voting	3

Representatives voting aye were: Baker, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Duer, Duncan, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hudson, Hurley, Jared, Jones, Kelley, Kent, King (Shelby), King (Washington), Lowe, McAfee, McKinney, McNally, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Percy, Phillips, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Spence, Sterling, Tanner, Turner, Wallace, Webb, Whitson, Withers and Wolfe—54.

Representatives voting no were: Akard, Bell (Knox), Bell (Wilson), Burnett, Carter, Clark (Davidson), Covington, Davis (Hamilton), Davis (Pickett), Disspayne, Ford, Henry (Blount), Hillis, Huskey, Johnson, Lashlee, Martin, Miller, Murphy (Davidson), Owen, Pickering, Richardson, Robertson, Robinson (Davidson), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Ussery, Wheeler, Wix, Wood, Work and Yelton—38.

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

Representatives present and not voting were: Dills, Kernell and Mr. Speaker McWerter—3.

Mr. Owen moved that Senate Bill No. 191 be placed on the Calendar for Monday, May 11, 1981.

Mr. McKinney moved that the motion be tabled, which motion failed by the following vote:

Ayes	11
Noes	78
Present and not voting	3

Representatives voting aye were: Baker, Bewley, Bragg, Chiles, Ellis, Gill, King (Shelby), Lowe, McKinney, Montgomery and Webb—11.

Representatives voting no were: Akard, Bell (Knox), Bell (Wilson), Bivens, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ford, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, McAfee, McNally, Martin, Miller, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—78.

Representatives present and not voting were: Crain, Dills and Rhinehart—3.

Mr. Owen moved that Senate Bill No. 191 be placed on the Calendar for Tuesday, May 12, 1981, which motion prevailed.

House Bill No. 53—To regulate sick leave.

On motion, House Bill No. 53 was made to conform with Senate Bill No. 176.

On motion, Senate Bill No. 176, on same subject, was substituted for House Bill No. 53.

Mr. Miller moved that Senate Bill No. 176 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—91.

A motion to reconsider was tabled.

House Bill No. 1036—To regulate board of polygraph examiners.

Mr. Miller moved that House Bill No. 1036 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1036 by deleting the second sentence of subsection (a) of the amendatory language of Section 1 and substituting instead the following:

Such board shall be composed of three (3) licensed polygraph examiners and two (2) person with no direct or indirect financial interest in polygraph examination. The members of the board shall be appointed by the governor for terms of four (4) years.

AND FURTHER AMEND by deleting subsection (b) of the amendatory language of Section 1 in its entirety and substituting instead the following:

(b) Board members shall not receive any compensation for their services but shall be reimbursed for all actual and necessary travel expenses incurred in the performance of their duties as members. All reimbursement for travel expenses shall be in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general.

AND FURTHER AMEND by inserting the following new section immediately prior to the effective date section and redesignating such section accordingly:

SECTION—. Tennessee Code Annotated, Section 62-2706, is amended by deleting the last sentence of such section in its entirety and substituting instead the following:

The board shall issue a polygraph examiner's license to any law-enforcement officer or employee employed by any city or county within Tennessee or by the state of Tennessee or by the federal government within Tennessee who has conducted polygraph examinations as a part of or in the course of such employment for at least two (2) years prior to July 1, 1981, who meets the requirements of subdivisions (1) through (4) of Tennessee Code Annotated, Section 62-2707, who applies within ninety (90) days of the passage of this act and who pays the proper fee as specified in Tennessee Code Annotated, Section 62-2713. No records obtained by law-enforcement officers or employees during official polygraph examinations shall be subject to disclosure under the provisions of this chapter.

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1036 by inserting the following language as a new section immediately preceding the final section and by appropriately renumbering such final section:

SECTION—.

(a) Tennessee Code Annotated, Section 4-29-207, is amended by deleting item (7) in its entirety.

(b) Tennessee Code Annotated, Section 4-29-203, is amended by inserting the

following as a new, appropriately numbered item:

() Board of polygraph examiners, created by Section 1 of this act.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1036, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—91.

A motion to reconsider was tabled.

House Bill No. 861—To amend Section 55-10-403, Code.

On motion, House Bill No. 861 was made to conform with Senate Bill No. 412.

On motion, Senate Bill No. 412, on same subject, was substituted for House Bill No. 861.

Mr. Byrd moved that Senate Bill No. 412 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

Representative voting no was: Spence—1.

A motion to reconsider was tabled.

House Bill No. 1135—To amend Sections 2-5-101 and 17-1-302, Code.

On motion, House Bill No. 1135 was made to conform with Senate Bill No. 315.

On motion, Senate Bill No. 315, on same subject, was substituted for House Bill No. 1135.

Mr. Miller moved that Senate Bill No. 315 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dissspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

House Bill No. 213—To amend Sections 4-29-2 and 4-3-12, Code.

On motion, House Bill No. 213 was made to conform with Senate Bill No. 158.

On motion, Senate Bill No. 158, on same subject, was substituted for House Bill No. 213.

Mr. Kernell moved that Senate Bill No. 158 be passed on third and final consideration.

Mr. Davis (Hamilton) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 158 Is amended by adding the following as a new section and renumbering the other sections appropriately:

() . Tennessee Code Annotated, Section 4-3-1105(10) is amended by deleting the section in its entirety and substituting in lieu thereof the following language:

(10) To maintain title to, control, and administer all State-owned motor vehicles including those operated by the Department of Safety, the Department of Transportation, the State University and Community College System, and the University of Tennessee; to establish in accordance with Tennessee Code Annotated, Section 4-5-101 through 4-5-131 rules and regulations for housing, repair and operation of all such vehicles; and report annually in the annual report of the Department of General Services on the operation and management of the State's motor vehicle fleet.

On motion, the amendment was adopted.

Mr. Davis (Hamilton) moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 158 by deleting subsection (17) of Section 4 in its entirety and substituting in lieu thereof the following:

(17) To supervise the supplying of utilities to the state-owned buildings under General Services' control and to implement, in conjunction with the Tennessee Energy Authority, a system for monitoring and controlling the cost of such utilities.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 158, as amended, passed its third and final consideration by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

A motion to reconsider was tabled.

Mr. Moore moved that the House stand in recess for one hour for lunch, which motion failed by the following vote:

Ayes	25
Noes	59
Present and not voting	2

Representatives voting aye were: Bell (Wilson), Bivens, Byrd, Chiles, Covington, DeBerry, Duer, Ellis, Frensley, Jones, Kent, Kernell, Love, McKinney, McNally, Martin, Moore, Pickering, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Spence, Sterling and Turner—25.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Bragg, Buck, Burnett, Carter, Clark (Davidson), Clark (Sumner), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duncan, Ford, Gill, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Jared, Johnson, Kelley, King (Washington), Lashlee, Lowe, McAfee, Miller, Montgomery, Murray, Naifeh, Owen, Phillips, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stallings, Tanner, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—59.

Representatives present and not voting were: Hillis and Murphy (Davidson)—2.

House Bill No. 1140—To amend Section 27-9-114, Code.

Mr. Miller moved that House Bill No. 1140 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

A motion to reconsider was tabled.

Mr. Miller moved that House Bill No. 1141 be placed on the Calendar for Monday, May 11, 1981, which motion prevailed.

House Bill No. 634—To amend Title 64, Chapter 24, Code.

On motion, House Bill No. 634 was made to conform with Senate Bill No. 897.

On motion, Senate Bill No. 897, on same subject, was substituted for House Bill No. 634.

Mr. King (Washington) moved that Senate Bill No. 897 be passed on third and final consideration.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 897 by designating the following as Section 2 and by renumbering the remaining section accordingly:

SECTION 2. The recital required by Tennessee Code Annotated, Section 64-2410, shall be prepared and entered, on any instrument required to be registered, by the preparer of such instrument provided the information necessary for such recital is known and available to the preparer.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 897, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

A motion to reconsider was tabled.

House Bill No. 842—To make provisions, certain state employees.

On motion, House Bill No. 842 was made to conform with Senate Bill No. 948.

On motion, Senate Bill No. 948, on same subject, was substituted for House Bill No. 842.

Mr. Ford moved that Senate Bill No. 948 be passed on third and final consideration.

Mr. Love moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 948 by deleting the amendatory language of Section 5 and by substituting in lieu thereof the following:

The commissioner shall approve payment at a rate above that assigned to his position in the pay plan for any employee demoted through no fault of his own subsequent to December 31, 1979. Such rate of payment shall also be awarded retroactively to the date of such demotion. In cases in which the commissioner determines that demotion was the result of fault of the employee, the commissioner shall state in writing to the employee the basis for such determination.

Mr. Spence moved the previous question, which motion prevailed by the following vote:

Ayes	65
Noes	21
Present and not voting	1

Representatives voting aye were: Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson; Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Hudson, Jared, Johnson, Kelley, Kent, King (Shelby), Lashlee, Love, Lowe, McKinney, Martin, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Spence, Stallings, Starnes, Tanner, Ussery, Wallace, Wheeler, Whitson, Withers, Wix, Work, Yelton and Mr. Speaker McWherter—65.

Representatives voting no were: Akard, Buck, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hurley, Huskey, King (Washington), McNally, Moore, Robertson, Shockley, Smith, Sterling, Webb, Wolfe and Wood—21.

Representative present and not voting was: Bragg—1.

On motion, Amendment No. 1 was adopted.

Thereupon, Senate Bill No. 948, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton),

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

ton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

A motion to reconsider was tabled.

Senate Bill No. 95—To amend Section 5-8-102, Code.

Mr. Bragg moved that Senate Bill No. 95 be passed on third and final consideration.

On motion of Mr. Bragg, Amendment No. 5 was withdrawn.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 6

Amend Senate Bill No. 95 by deleting the amendatory section immediately preceding the effective date section which was inserted by House amendment No. 1 in its entirety and by substituting instead the following:

Section—. Tennessee Code Annotated, Section 5-8-102 is further amended by deleting the first and second sentences of subsection (c) in their entirety and by substituting instead the following:

Any such motor vehicle privilege tax levied, increased, decreased or abolished pursuant to this section shall be levied, increased, decreased or abolished by resolution of the county legislative body approved by a two-thirds (2/3) vote of such body at two (2) consecutive, regular meetings of the county legislative body. Such resolution may by its terms require an election to approve or reject its provisions by the voters of the county. Such resolution shall not take effect until ninety (90) days after final passage and during such time a petition may be filed to require an election to approve or reject such resolution by ten percent (10%) of the registered voters of the county with the county clerk. If such petition is timely filed, the county legislative body shall direct the county election commission to call such election to be held in a regular election or in a special election for the purpose of approving or rejecting such resolution.

Mr. Spence moved the previous question on the amendment, which motion prevailed.

Thereupon, on motion, Amendment No. 6 was adopted.

On motion of Mr. Bragg, Senate Bill No. 95 was moved to the heel of the Calendar for today.

House Bill No. 801—To provide for withdrawal from retirement system.

On motion, House Bill No. 801 was made to conform with Senate Bill No. 988.

On motion, Senate Bill No. 988, on same subject, was substituted for House Bill No. 801.

Mr. Bragg moved that Senate Bill No. 988 be passed on third and final consideration, which motion prevailed by the following vote:

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

A motion to reconsider was tabled.

Mr. Miller moved that House Bill No. 1141 be placed on the Calendar for Monday, May 11, 1981, which motion prevailed.

House Bill No. 634—To amend Title 64, Chapter 24, Code.

On motion, House Bill No. 634 was made to conform with Senate Bill No. 897.

On motion, Senate Bill No. 897, on same subject, was substituted for House Bill No. 634.

Mr. King (Washington) moved that Senate Bill No. 897 be passed on third and final consideration.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 897 by designating the following as Section 2 and by renumbering the remaining section accordingly:

SECTION 2. The recital required by Tennessee Code Annotated, Section 64-2410, shall be prepared and entered, on any instrument required to be registered, by the preparer of such instrument provided the information necessary for such recital is known and available to the preparer.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 897, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—92.

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—92.

A motion to reconsider was tabled.

House Bill No. 672—To amend Section 33-604, Code.

Mr. Murphy (Shelby) moved that House Bill No. 672 be passed on third and final consideration.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 672 by designating the first and second paragraphs of the amendatory language of Section 1 as the second and third paragraphs and by adding the following new first paragraph:

When a person hospitalized under this section is ready to be released from involuntary hospitalization and the hospital or treatment resource determines that the person's condition requires involuntary out-patient or day treatment, it shall so notify the court. In determining whether such person requires involuntary out-patient or day treatment, the court shall conduct a hearing and consider the following factors:

- (a) Whether the person has a history of chronic psychotic disorder;
- (b) Whether the person has a history of repeated psychiatric hospitalizations over a long period of time;
- (c) Whether the person has a well-documented history of noncompliance in accepting treatment prior to hospitalization;
- (d) Whether the person has a history of being dangerous to himself or others during acute psychotic episodes; and
- (e) Whether there is evidence that the person has had periods of stabilization on neuroleptic medications.

If after a hearing in which such factors are considered, the court finds that the patient's condition requires involuntary out-patient or day treatment without which the person is mentally ill and poses a likelihood of serious harm, it may order the person to seek such treatment by a physician or treatment resource that is willing to treat the person. The person is liable to pay the costs for his treatment. Willful disobedience of the court's order is contempt of court. The person may apply to the court for dissolution of the

order. The court shall dissolve the order on its determination that the person no longer meets the standards that justified entry of the order.

On motion, the amendment was adopted.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 672 by deleting the amendatory language from Section 1 of the bill and substituting the following:

When a person hospitalized under this section is ready to be released from involuntary hospitalization and the hospital or treatment resource determines that the person's condition requires involuntary out-patient or day treatment, without which the person is mentally ill and poses a likelihood of serious harm, it shall so notify the court. If after a hearing, the court finds that the patient's condition requires involuntary out-patient or day treatment without which the person is mentally ill and poses a likelihood of serious harm, it may order the person to seek such treatment by a physician or treatment resource that is willing to treat the person. The person is liable to pay the costs for his treatment. Wilful disobedience of the court's order is contempt of court. The person may apply to the court for dissolution of the order. The court shall dissolve the order on its determination that the person no longer meets the standards that justified entry of the order.

Mr. Murphy (Shelby) moved that Amendment No. 2 be tabled, which motion failed by the following vote:

Ayes	34
Noes	56

Representatives voting aye were: Akard, Bell (Wilson), Brewer, Carter, Davidson, Davis (Pickett), DeBerry, Duer, Duncan, Gill, Hillis, Jared, Johnson, Kent, King (Shelby), Love, Lowe, McKinney, Murray, Naifeh, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Shirley, Small, Stallings, Tanner, Ussery, Wheeler, Wix, Wolfe and Work—34.

Representatives voting no were: Baker, Bell (Knox), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Disspayne, Ford, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kernell, King (Washington), Lashlee, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Owen, Phillips, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Spence, Sterling, Turner, Wallace, Webb, Whitson and Wood—56.

Mr. Spence moved that House Bill No. 672 be re-referred to the Committee on Calendar and Rules.

Mr. Murphy (Shelby) moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	72
Noes	16
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Crain, Davidson,

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Frensley, Gaia, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, Lowe, McKinney, McNally, Montgomery, Moore, Murray, Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—72.

Representatives voting no were: Bell (Knox), Chiles, Cobb, Ford, Harrill, Henry (Blount), Huskey, Kernell, McAfee, Martin, Miller, Murphy (Davidson), Owen, Robertson, Robinson (Davidson) and Spence—16.

Representative present and not voting was: Covington—1.

Thereupon, Amendment No. 2 failed by the following vote:

Ayes	32
Noes	59
Present and not voting	1

Representatives voting aye were: Bell (Knox), Bewley, Burnett, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davis (Hamilton), Disspayne, Ford, Gaia, Harrill, Huskey, Kernell, King (Washington), McAfee, McNally, Martin, Miller, Moore, Murphy (Davidson), Owen, Phillips, Robertson, Robinson (Davidson), Severance, Smith, Spence, Starnes, Sterling and Wood—32.

Representatives voting no were: Akard, Baker, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Byrd, Carter, Clark (Sumner), Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Duer, Duncan, Frensley, Gill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), Lashlee, Love, Lowe, McKinney, Montgomery, Murray, Naifeh, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Shockley, Small, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Work and Yelton—59.

Representative present and not voting was: Crain—1.

Thereupon, House Bill No. 672, as amended, passed its third and final consideration by the following vote:

Ayes	64
Noes	27
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Bragg, Buck, Byrd, Carter, Clark (Davidson), Clark (Sumner), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Frensley, Gill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), Lashlee, Love, Lowe, McKinney, Montgomery, Murray, Naifeh, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Shockley, Small, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—64.

Representatives voting no were: Bell (Knox), Bewley, Burnett, Chiles, Cobb, Ford, Gaia, Harrill, Henry (Blount), Huskey, Kernell, King (Washington), McAfee, McNally, Martin, Miller, Moore, Murphy (Davidson), Owen, Phillips, Robertson, Scruggs, Severance, Smith, Spence, Webb and Whitson—27.

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

Representative present and not voting was: Covington—1.

A motion to reconsider was tabled.

Mr. Speaker pro tem Brewer relinquished the Chair to Mr. Martin, Speaker pro tem.

Mr. Brewer moved that House Bill No. 1151 be placed on the Calendar for Thursday, May 21, 1981, which motion prevailed.

Mr. Davis (Hamilton) moved that House Bill No. 994 be placed on the Calendar for Monday, May 11, 1981, which motion prevailed.

Mr. Akard moved that House Bill No. 1021 be placed on the Calendar for Thursday, May 21, 1981, which motion prevailed.

Senate Joint Resolution No. 36—Relative to approving amendments, revisions, Rules of Appellate Procedure.

Mr. Murphy (Shelby) moved that Senate Joint Resolution No. 36 be concurred in, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

A motion to reconsider was tabled.

House Bill No. 446—To regulate hunting, certain counties.

Mr. Burnett moved that House Bill No. 446 be passed on third and final consideration.

Mr. Spence moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 446 by inserting the following new section immediately prior to the effective date section and renumbering such section accordingly:

SECTION—. The provisions of this act shall be limited to the hunting or taking of large bucks wearing red suspenders.

Mr. Burnett moved that the Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	88
Noes	7

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—88.

Representatives voting no were: Carter, Cobb, Gaia, Kernell, McKinney, Pruitt and Shirley—7.

Mr. Bell (Knox) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 446 Provided, however, Bambi and his reins and assigns shall be exempt from the provisions of this act

(also Buffy)

Mr. Burnett moved that the Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	77
Noes	14
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—77.

Representatives voting no were: Bell (Knox), Byrd, Carter, Cobb, Duncan, Harrill, Henry (Blount), Hudson, Kernell, Martin, Murphy (Davidson), Pruitt, Smith and Spence—14.

Representative present and not voting was: Robertson—1.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

Ayes	70
Noes	16
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis,

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Murphy (Shelby), Murray, Naifeh, Phillips, Pickering, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wood, Work and Yelton—70.

Representatives voting no were: Bell (Knox), Cobb, Covington, Kernell, Moore, Murphy (Davidson), Owen, Pruitt, Robertson, Scruggs, Severance, Shirley, Smith, Spence, Sterling and Wolfe—16.

Representative present and not voting was: Mr. Speaker McWherter—1.

Thereupon, House Bill No. 446, as amended, passed its third and final consideration by the following vote:

Ayes	76
Noes	16
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Montgomery, Murphy (Shelby), Murray, Naifeh, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Small, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—76.

Representatives voting no were: Bell (Knox), Carter, Gaia, Henry (Blount), Henry (Roane), Kent, Kernell, Martin, Moore, Murphy (Davidson), Pruitt, Shirley, Smith, Spence, Sterling and Ussery—16.

Representatives present and not voting were: Covington, Miller and Owen—3.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 95

Senate Bill No. 95—To amend Section 5-8-102, Code.

Mr. Wallace moved to amend as follows:

AMENDMENT NO. 7

Amend Senate Bill No. 95 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section—. The provisions of this act shall not apply in any county having a population of not less than 65,700 nor more than 65,800 according to the 1970 federal census of population or any subsequent federal census of population.

On motion, the amendment was adopted.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 8

Amend Senate Bill No. 95 by striking Section 6 in its entirety and by substituting a new Section 6 as follows:

“This act shall take effect Sept. 2, 1982.”

On motion, the amendment was adopted.

Mr. Phillips moved to amend as follows:

AMENDMENT NO. 9

Amend Senate Bill No. 95 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section—. The provisions of this act shall not apply in any county having a population of:

not less than

nor more than

25,000

25,100

according to the 1970 federal census of population or any subsequent federal census of population.

On motion, the amendment was adopted.

Mr. Wallace moved to amend as follows:

AMENDMENT NO. 10

Amend Senate Bill No. 95 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section—. The provisions of this act shall not apply in any county having a population of not less than 14,400 nor more than 14,500 according to the 1970 federal census of population or any subsequent federal census of population.

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 11

Amend Senate Bill No. 95 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section—. The provisions of this act shall not apply in any county having a population of not less than 276,000 nor more than 277,000 according to the 1970 federal census of population or any subsequent federal census of population.

On motion, the amendment was adopted.

Mr. Moore moved to amend as follows:

AMENDMENT NO. 12

Amend Senate Bill No. 95 by adding the following new section immediately preceding

the last section and by renumbering the subsequent section accordingly:

Section —. The provisions of this act shall not apply in any county having a population of more than 600,000 according to the 1970 federal census of population or any subsequent federal census of population.

Mr. Gill moved that Amendment No. 12 be tabled, which motion prevailed by the following vote:

Ayes	38
Noes	31
Present and not voting	21

Representatives voting aye were: Bell (Wilson), Brewer, Buck, Burnett, Byrd, Chiles, Cobb, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Disspayne, Ellis, Gaia, Gill, Johnson, Kent, Kernell, King (Shelby), Martin, Miller, Murphy (Shelby), Murray, Owen, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Severance, Small, Spence, Withers, Wix, Work, Yelton and Mr. Speaker McWherter—38.

Representatives voting no were: Baker, Bell (Knox), Carter, Clark (Davidson), Covington, Duer, Harrill, Henry (Roane), Hillis, Hurley, Kelley, King (Washington), Lashlee, Love, McAfee, McNally, Moore, Naifeh, Pruitt, Robertson, Scruggs, Shirley, Shockley, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Whitson and Wood—31.

Representatives present and not voting were: Akard, Bivens, Bragg, Clark (Sumner), Crain, DePriest, Duncan, Ford, Frensley, Henry (Blount), Hudson, Huskey, Jared, Lowe, McKinney, Montgomery, Murphy (Davidson), Richardson, Webb, Wheeler and Wolfe—21.

Mr. McKinney moved the previous question, which motion failed by the following vote:

Ayes	27
Noes	55
Present and not voting	3

Representatives voting aye were: Bell (Wilson), Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), Disspayne, Duncan, Ellis, Gaia, Hurley, King (Washington), Lowe, McKinney, Moore, Murphy (Davidson), Pickering, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Spence, Tanner, Webb and Work—27.

Representatives voting no were: Akard, Baker, Bell (Knox), Bivens, Buck, Byrd, Clark (Sumner), Davis (Gibson), DeBerry, DePriest, Dills, Duer, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), Lashlee, Love, McAfee, McNally, Miller, Montgomery, Murray, Naifeh, Owen, Phillips, Richardson, Robertson, Robinson (Davidson), Scruggs, Severance, Shirley, Shockley, Smith, Stallings, Sterling, Turner, Ussery, Wallace, Whitson, Wix, Wolfe, Wood and Yelton—55.

Representatives present and not voting were: Bragg, Burnett and Kernell—3.

Mr. Stallings moved to amend as follows:

AMENDMENT NO. 13

Amend Senate Bill No. 95 by adding the following new section immediately preceding the last section and renumbering the subsequent sections accordingly:

Section—. Tennessee Code Annotated, Section 5-8-102, is further amended by adding the following new subsection:

() From and after the passage of this act, pursuant to this act at least fifty percent (50%) of the revenue derived from any such motor vehicle privilege tax shall be allocated for the construction and repair of roads and streets. The provisions of this paragraph shall apply to all such taxes derived pursuant to this act.

Mr. McKinney moved that the Amendment No. 13 be tabled, which motion failed by the following vote:

Ayes	34
Noes	37
Present and not voting	16

Representatives voting aye were: Bell (Knox), Byrd, Cobb, Covington, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Jared, King (Washington), McKinney, Montgomery, Murphy (Davidson), Murray, Pickering, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Small, Smith, Spence, Turner, Wolfe, Wood and Work—34.

Representatives voting no were: Akard, Baker, Bell (Wilson), Bivens, Buck, Burnett, Carter, Crain, Davis (Hamilton), DeBerry, Dills, Harrill, Henry (Roane), Hillis, Hurley, Huskey, Johnson, Jones, Kelley, Lashlee, Lowe, McNally, Martin, Naifeh, Phillips, Richardson, Robertson, Robinson (Davidson), Scruggs, Shirley, Shockley, Stallings, Tanner, Ussery, Wallace, Webb and Whitson—37.

Representatives present and not voting were: Bragg, Clark (Davidson), Clark (Sumner), Gaia, Henry (Blount), Hudson, Kent, Kernell, King (Shelby), Miller, Moore, Owen, Starnes, Sterling, Wix and Yelton—16.

Thereupon, on motion, Amendment No. 13 was adopted.

Thereupon, Senate Bill No. 95, as amended, passed its third and final consideration by the following vote:

Ayes	86
Noes	9

Representatives voting aye were: Akard, Baker, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—86.

Representatives voting no were: Bell (Knox), Bell (Wilson), Carter, Clark (Sumner), Davis (Gibson), Dills, Moore, Murray and Wix—9.

A motion to reconsider was tabled.

Mr. Lashlee moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 122, which motion prevailed.

Senate Joint Resolution No. 122—Relative to study, merger, Southern College of Optometry.

Mr. Ford moved the previous question, which motion prevailed by the following vote:

Ayes	70
Noes	13
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Gill, Henry (Blount), Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, King (Shelby), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Small, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton—70.

Representatives voting no were: Bell (Knox), Bragg, Duer, Frensley, Harrill, Henry (Roane), Huskey, King (Washington), Robertson, Scruggs, Smith Spence and Ussery—13.

Representative present and not voting was: Cobb—1.

Mr. Lashlee moved that Senate Joint Resolution No. 122 be concurred in, which motion prevailed by the following vote:

Ayes	84
Noes	2
Present and not voting	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, Lowe, McKinney, McNally, Martin, Miller, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—84.

Representatives voting no were: King (Washington) and Robinson (Washington)—2.

Representatives present and not voting were: Bragg, Chiles, Cobb and Montgomery—4.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 429—To amend Section 37-258, Code.

SENATE AMENDMENT NO. 1

Amend House Bill No. 429 by deleting the words and figures “thirty (30)” and substituting instead the word and figure “ten(10)”

Mr. Murphy (Davidson) moved that the House in Senate Amendment No. 1 concur, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 640—To amend Section 12-4-108, Code.

SENATE AMENDMENT NO. 1

Amend House Bill No. 640 by deleting Section 2 in its entirety, and by substituting therefor the following:

SECTION 2. The second sentence of Tennessee Code Annotated, Section 12-4-108, subsection (b), is hereby amended by putting a period after the words "At the time of deposit of any letter of credit, the same shall be accompanied by an authorization by the contractor to deliver the retained funds to the issuing bank" and by deleting the balance of said sentence.

AND FURTHER AMEND by renumbering Section 3 as Section 4, and by inserting the following Section 3:

SECTION 3. Tennessee Code Annotated, Section 12-4-108, subsection (c), is hereby amended by adding after the words "state or national bank having a trust department" the words "or state or federal savings and loan association."

Ms. Gaia moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance,

Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 798—To make provisions, Defense Counsel Commission.

SENATE AMENDMENT NO. 1

Amend House Bill No. 798 by adding the following immediately prior to the effective date section, and renumbering such section accordingly.

Section— The intent of this act is to extend the benefits of this chapter to those State employees the commission finds not to be guilty of willful, intentional or malicious misconduct. The commission's decision shall be final except as provided for in Section 8-42-107.

SENATE AMENDMENT NO. 2

Amend House Bill No. 798 by adding the following language at the end of Section 1:

Tennessee Code Annotated, Section 8-42-103, is further amended by inserting the following sentence at the end of that section:

Provided, however, no judgment or interest shall be paid in any case where the employee has been found guilty of gross negligence or willful, intentional or malicious conduct nor shall any award of punitive damages be paid.

AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 2

Amend Amendment No. 1 by inserting in the amendatory language of the second line of the second paragraph between the words "has" and "been" the word "independently" and by striking the word "willfull" in line three of paragraph two and by striking the words "nor shall any award of punitive damages be paid" and placing a "period" after the word "conduct".

Mr. Rhinehart moved that the House concur in Senate Amendments Nos. 1 and 2, as amended, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 929—To make certain provisions, county notes.

SENATE AMENDMENT NO. 1

Amend House Bill No. 929 by deleting from the amendatory language of Section 1 the words “redemption, with or without a premium of” and substituting instead the words:

“redemption, without a premium or, for notes sold by the county executive for not less than the par value thereof and accrued interest, with or without a premium of”.

Mr. Murphy (Davidson) moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 930—To amend County Recovery and Post War Aid Act.

SENATE AMENDMENT NO. 1

Amend House Bill No. 930 by deleting the last sentence from the amendatory language of Section 2 and substituting instead the following:

The bonds authorized to be issued by this chapter which are payable exclusively from the revenues of a public works project may be sold at public or private sale for not less than ninety-seven and one-half percent (97½%) of the par value thereof and accrued interest.

Mr. Murphy (Davidson) moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamil-

ton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 963—To make provisions, certain payroll deductions.

SENATE AMENDMENT NO. 2

Amend House Bill No. 963 by deleting Section 1 thereof in its entirety and renumbering the following section accordingly.

SENATE AMENDMENT NO. 5

Amend House Bill No. 963 by adding a new section immediately preceding the effective date section and renumbering the subsequent section accordingly:

Section—. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SENATE AMENDMENT NO. 6

Amend House Bill No. 963 by adding the following new section after Section 1 and renumbering the remaining sections appropriately:

SECTION 2. Tennessee Code Annotated Section 8-23-204(a)(4) is further amended by deleting the words and figures: "twenty percent (20%)" and inserting the following in lieu thereof: "twenty-five percent (25%)"

SENATE AMENDMENT NO. 7

Amend House Bill No. 963 by adding the following new section after Section 1 and renumbering the remaining sections accordingly:

Section () Tennessee Code Annotated Section 8-23-204(b) is amended by adding the following:

The commissioner of finance and administration is authorized and required to cease deducting membership dues under this section for any organization or association if the commissioner of finance and administration determines that fifteen percent (15%) or more of the members of the organization or association in a single work location or facility have engaged in a work stoppage of any kind after the effective date of this Act. For the purpose of this section a work stoppage shall include the failure to report for duty, the willful absence from one's position, the stoppage of work, or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment, for the purpose of inducing, influencing, or coercing a change in

conditions, compensation, rights, privileges, or obligations of employment, or of intimidating, coercing, or unlawfully influencing others from remaining in or from assuming such public employment.

Mr. Burnett moved that the House non-concur in Senate Amendments Nos. 2, 5, 6 and 7, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1011—To regulate Board of Reclamation Review.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1011 by deleting from the first sentence of the amendatory language of Section 1 the words "Commissioner of the Department of Conservation, or his designee" and by substituting in lieu thereof the words "Commissioner of the Department of Agriculture, or his designee".

Mr. Murphy (Davidson) moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1226—To enact the "County Financial Management System".

SENATE AMENDMENT NO. 1

Amend House Bill No. 1226 by adding the following section immediately before the last section and renumbering the subsequent section accordingly:

Section . The provisions of this act shall not apply in any county having a population of not less than two hundred seventy-six thousand (276,000) nor more than two hundred seventy-seven thousand (277,000) according to the 1970 federal census of population or any subsequent federal census.

Mr. Tanner moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	96
Noes	0

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

A motion to reconsider was tabled.

Mr. Murphy (Davidson) moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 128 out of order, which motion prevailed.

Senate Joint Resolution No. 128—Relative to welcoming Mexico's First Lady, Carmen Lopez Portillo.

On motion of Mr. Murphy (Davidson), the resolution was concurred in.

A motion to reconsider was tabled.

House Bill No. 663—To enact "Certified Public Weigher Law of 1981."

Mr. Lashlee moved that House Bill No. 663 as amended by the Senate, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

A motion to reconsider was tabled.

SECOND ROLL CALL

The roll call was taken with the following results:

Present	97
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Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford,

Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

INTRODUCTION OF RESOLUTION

House Joint Resolution No. 217—Relative to study, Library and Archives—By Starnes.

The Speaker referred House Joint Resolution No. 217 to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1331—To revise charter, Hollow Rock—By Lashlee and Kelley.

Passed first consideration.

House Bill No. 1332—To amend Title 67, Chapter 20, code—By Kelley, Wallace and Baker.

Passed first consideration.

House Bill No. 1333—To amend Title 67, Chapter 11, Code—By Wallace, Kelley and Baker.

Passed first consideration.

SENATE BILL ON FIRST CONSIDERATION

Senate Bill No. 382—To enact Tennessee Commission on Aging Act of 1981.

Passed first consideration.

STANDING COMMITTEE REPORTS

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bill No. 439 (with amendment).

DAVIS (Hamilton), *Chairman.*

Under the rules, House Bill No. 439 was transmitted to the Committee on Calendar and Rules.

LABOR AND CONSUMER AFFAIRS

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bill No. 278 (with amendment).

ELLIS, *Chairman.*

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

Under the rules, House Bill No. 278 was transmitted to the Committee on Calendar and Rules.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1230; House Joint Resolution No. 219 and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 219—Relative to recess, House of Representatives; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 372, 378, 475, 551, 773, 832, 935, 951, 1062, 1095 and 1323; also, House Joint Resolution No. 212; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No. 219; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 62, 126, 128, 174, 187, 216, 284, 349, 487, 529, 537, 567, 598, 611, 640, 703, 718, 771, 859, 1002, 1023, 1049, 1117, 1127 and 1265; also, Senate Joint Resolutions Nos. 44 and 61; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: House Joint Resolution No. 219; Senate Bills Nos. 62, 126, 128, 174, 187, 216, 284, 349, 487, 529, 537, 567, 598, 611, 640, 703, 718, 771, 859, 1002, 1023, 1049, 1117, 1127 and 1265; Senate Joint Resolutions Nos. 44 and 61.

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 753—To amend Section 47-9-107, Code.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

624—To change name, civil defense agency;

1107—To amend Title 57, Chapter 5, Code;

1230—To create Board of Highway Commissioners, Cocke County; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

690—To amend Section 14-27-114, Code;

1244—To enact the Agricultural Development Act; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Calendar for Monday, May 11, 1981: House Joint Resolution No. 157; House Bills Nos. 1097, 23, 27; House Joint Resolution No. 62; House Resolution No. 30; House Bills Nos. 858, 859, 860, 1210, 765, 1016, 1015, 79, 1004, 881; and House Joint Resolution No. 163.

GILL, *Chairman.*

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Monday, May 11, 1981:

House Bill No. 71—Buck

House Bill No. 266—Naifeh

House Bill No. 396—Cobb

House Bill No. 477—Buck

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

House Bill No. 834—Kent

House Bill No. 953—Yelton

House Bill No. 1073—Kelley

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1301, 1303 and 1304.

REPORT OF DELAYED BILLS COMMITTEE

Pursuant to Rule No. 76, the Delayed Bills Committee has met and approved House Bill No. 1300 for consideration by the appropriate standing committee.

Ned R. McWherter

James M. Henry

S. Thomas Burnett

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 372, 378, 475, 551, 773, 832, 935, 951, 1062, 1095 and 1323; and House Joint Resolution No. 212; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

123—Relative to honoring Dr. R. P. Denney;

124—Relative to honoring Mrs. Pauline Clemmer; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

87—To restructure Eighth Judicial Circuit;

131—To amend Title 49, Chapter 42, Code;

151—To appropriate funds, prisoner work program;

545—To expedite justice, Davidson County;

546—To provide additional positions, 10th Judicial Circuit;

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

642—To enact General Sessions Criminal Court Act of 1981;

1022—To amend Title 7, Chapter 60, Code;

1061—To amend Title 13, Chapter 23, Code;

1115—To regulate duties, Industrial Development Authority;

1130—To enact "Foster Care Contributions Act of 1981"; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 446, 597, 672, 1036 and 1140; and House Joint Resolution No. 218; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 883 without his signature.

JULIA GIBBONS,
Counsel to the Governor.

Dear Mr. Speaker,

I am returning House Bill 883 without my signature. This bill would change current provisions of the state's medical loan-scholarship program to permit a loan recipient to defer repayment while he or his spouse is out-of-state in the military for a period of up to six years. The bill is apparently intended to benefit a single individual. I question whether enactment of special legislation of this type is desirable.

Sincerely,

Lamar Alexander

House Bill No. 883 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 80, 355, 368, 461, 509, 556, 593, 624, 639, 689, 702, 815, 878, 995, 1107, 1205, 1219, 1280, 1305, 1306 and 1317; House Resolutions Nos. 51 and 52; and House Joint Resolutions Nos. 194, 198 and 203; and find same correctly enrolled and ready for the

THURSDAY, MAY 7, 1981—46th LEGISLATIVE DAY

signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 80, 355, 368, 461, 509, 556, 593, 624, 639, 689, 702, 815, 878, 995, 1107, 1205, 1219, 1280, 1305, 1306 and 1317; House Resolutions Nos. 51 and 52; House Joint Resolutions Nos. 194, 198 and 203.

On motion of Mr. Burnett, the House adjourned until 5:00 p.m., Monday, May 11, 1981.